

*Measures Against Crime*

sion that when Quebec was doing such a good job in investigating criminal activity within its borders, the Minister of Justice challenged its right to do so. He brought a case before the Supreme Court of Canada, judgment with respect to which has so far not been written. But for the Quebec inquiry we would not have known of the millions of dollars of meat which was sold, cut and carved from carcasses of animals which had died of disease and disposed of as hamburger, flavoured with onions by way of deception.

What we saw there was an attempt to destroy not only the moral fibre but the physical welfare of the Canadian people. The Quebec Crime Commission is to be congratulated on its work in this area. I suppose all that fraud was carried out by criminals under the reasoning that if they couldn't get at the people's morals they would get at their stomachs and pocketbooks through their appetites.

Now I turn to the subject of wiretapping and to the changes in the wiretapping legislation. I listened very carefully and made notes of what the minister said. He did not think the changes would erode civil rights. I realize that the detection of crime is very important, but surely members in all quarters of the House must weigh very carefully the proper balance between crime detection and civil rights. This is the reason distinguished members of parliament such as my right hon. friend from Prince Albert (Mr. Diefenbaker), one of the best legal minds in the House, and my hon. friend from Fundy-Royal (Mr. Fairweather), have insisted that 90 days after an electronic device—for example, a telephone—has been wiretapped, the person so affected must be notified that this was the case.

This section is now to be repealed. I understand the reasons: police officers in the detection of crime must not be hindered in their ability to possess and use equipment equivalent to that possessed by sophisticated, wealthy criminals. Yet on the other hand there is the aspect of civil liberties to be considered. If there is any interference with crime detection arising from the provision for notice, the time can surely be extended or abridged by a judge of a superior court to give the police the authority and protection they need. That is our recommendation, Mr. Speaker, while at the same time preventing the wrongful tapping, without their knowledge, of telephones used by law-abiding citizens.

Mr. Speaker, since I came to parliament I have defended the administration of justice and the actions of police officers in every category where they have acted judiciously and properly in the course of the administration of justice. Yet on the other hand, as an experienced trial lawyer may I remind hon. members—those who are lawyers will hardly need to be reminded—that I am well aware that this kind of power, placed in the wrong hands at the wrong time by the wrong people, can lead to the erosion of civil rights. Certainly, I have great respect for the RCMP. I have great respect for police officers who administer the law. But when you give so much power to people who want that kind of power, you can damage civil rights. That is why one has to build in a mechanism to protect civil rights, weighing it against the need for crime detection. Is that too much to ask, Mr. Speaker? I would think not.

[Mr. Woolliams.]

What about the clauses the Minister of Justice has dealt with in relation to dangerous offenders? I turn to the legislation covering dangerous offenders. The name of the offence is changed or, putting it in another way, the power of a judge to give an indeterminate sentence to accused persons who continue to use or attempt to use violent conduct endangering, or likely to endanger, the life or safety of another person or inflicting, or likely to inflict, severe psychological damage on another person, has been given a new name. The name of the offence has been changed; that is all. I agree that the phrase "habitual criminal" was not very good. I like the new description. But it is not something which is going to change the whole ball of wax in the control of crime.

I agree that a person might get drunk every weekend and end up in jail every weekend, which might point to habitual conduct on his part, but he would certainly not be an habitual criminal. No judge, as I read the authorities, has ever used the section in that manner. Changing the name does not strengthen the law. What does the change do to control crime? This is another example of an attempt by the government to place mock law and mock courts on a level with reality.

Last, but not least, we must consider the changing of the rules governing parole. Since 1968, when the just society was promised to the Canadian people, the pages of criminal history as exposed by the media are full of cases showing that day passes have been given indiscreetly and indiscriminately to violent criminals, to dangerous offenders who have returned to the streets of our cities, ravaging and threatening society, murdering and plundering, robbing and killing. I do not need to mention the Head case, a man serving his sentence having been found guilty of raping five different girls under the age of nine. He was released, without any provision of supervision, by the Department of the Solicitor General; not when the present minister was Solicitor General, though. But the policy never changed; just the personnel. What did this prisoner do? He murdered one of the warden's daughters.

Mr. Speaker, we on this side of the House stand for rehabilitation. We believe the conditions under which people are incarcerated for certain offences in this country are deplorable. On the other hand, when there are dangerous criminals, and when they are known to be dangerous, when they are habitual offenders, great care should surely be taken to segregate them from society, to use the words of the Minister of Justice. I hope the hon. gentleman, as the new Minister of Justice, will follow that course.

The day of repentance is upon us, and what is the government doing? Membership of the Parole Board is to be increased to 26, making it regional in nature. The bill does much along lines I have recommended. The former solicitor general, now the Minister of Supply and Services (Mr. Goyer), in his wisdom and with the authority and consent of the government destroyed the parole system. He stated when he was minister—this was shown me by one of the officers who is now no longer in the service—that the first priority was rehabilitation, and the second was the protection of society. He got his priorities reversed. No wonder the policy went sour.

You know, Mr. Speaker, there is a weed on the prairies called tumbling mustard which rolls and spreads its seed